

FISCAL NOTE
SB 12
FIRST EXTRAORDINARY SESSION

January 18, 2006

SUMMARY OF BILL: Requires defendant convicted of bribery of a public servant to pay as restitution to the State the amount of the bribe.

ESTIMATED FISCAL IMPACT:

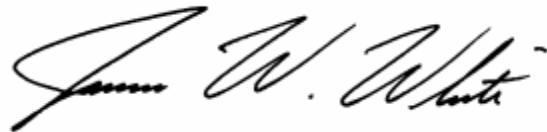
Increase State Revenues - Not Significant

Assumptions:

- Courts currently have discretionary authority to order restitution for a public bribery conviction. Tenn. Code Ann. §§ 40-35-104(c)(2) and 40-35-304. Mandatory restitution will increase the number of cases in which restitution is ordered, but due to the relatively small number of public bribery convictions in a given year (an average of three per year over the past 10 years) and problems of collection, the increase in state revenues will not be significant.
- Neither the length of sentence a defendant receives nor the number of convictions under the public bribery statute will change.

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, appearing to read "James W. White". The signature is fluid and cursive, with the first name "James" written in a smaller, more compact script than the last name "White".

James W. White, Executive Director